

HOUSE BILL No. 1391

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-26-11-6.

Synopsis: Public school transfers. Permits a school corporation to accept a request of a student or the student's parents for a transfer of the student from another school corporation without the approval of the other school corporation only if the transfer will meet the standards established by the state board of education.

Effective: Upon passage.

Moseley

January 13, 2009, read first time and referred to Committee on Education.

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First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

HOUSE BILL No. 1391

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-26-11-6, AS ADDED BY P.L.1-2005,
2 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 6. (a) A school corporation may accept a
4 transferring student **under this section** without approval of the
5 transferor corporation under section 5 of this chapter

6 ~~(b) A transfer may not be accepted unless only if:~~

7 **(1) acceptance of the transferred student will meet the**
8 **standards established by the state board; and**

9 **(2) the requesting parents or student pays transfer tuition in an**
10 amount determined under the formula established in section 13 of
11 this chapter for the payment of transfer tuition by a transferor
12 school corporation. ~~However,~~

13 **(b) The state board shall establish uniform, statewide standards**
14 **by rule adopted under IC 4-22-2 for the acceptance of transferring**
15 **students under this section. A school corporation may not accept**
16 **a student for transfer under this section without making written**
17 **findings that demonstrate that acceptance of the transferring**



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1 student will meet the standards established by the state board.

2 (c) A student to whom this section applies may not enroll
3 primarily for athletic reasons in a school in a school corporation in
4 which the student does not have legal settlement. However, a
5 decision to allow a student to enroll in a school corporation in
6 which the student does not have legal settlement is not considered
7 a determination that the student did not enroll primarily for
8 athletic reasons.

9 (d) The transferee school may not offset the amounts described in
10 section 13(b) STEP TWO (B) through section 13(b) STEP TWO (D)
11 of this chapter from the amount charged to the requesting parents or
12 student **under subsection (a)(2).**

13 ~~(c)~~ The tuition ~~determined under subsection (b)~~ must be paid by the
14 parents or the student before the end of the school year in installments
15 as determined by the transferee corporation.

16 ~~(d)~~ Failure to pay a tuition installment is a ground for exclusion
17 from school.

18 (e) If a request for transfer is denied under subsection (a), an
19 appeal may be taken to the state board by the requesting parents
20 or student, if commenced not more than ten (10) days after the
21 denial. An appeal is commenced by mailing a notice of appeal by
22 certified mail to the superintendent of each school corporation and
23 the state board. The state superintendent shall develop forms for
24 this purpose, and the transferor corporation shall assist the parents
25 or student in the mechanics of commencing the appeal. An appeal
26 hearing must comply with section 15 of this chapter.

27 SECTION 2. An emergency is declared for this act.

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